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Attorneys for Plaintiff
 PROFESSIONAL ASBESTOS REMOVAL CORPORATION a California
 corporation, dba PARC ENVIRONMENTAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PROFESSIONAL ASBESTOS
 REMOVAL CORPORATION a California
 corporation, dba PARC
 ENVIRONMENTAL,

Plaintiff,

v.

EXPLORE GENERAL, INC. a California
 corporation; and INTERNATIONAL
 FIDELITY INSURANCE COMPANY,

Defendants.

Case Number CO5-02868 HRL

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE AND
 ORDER THEREON**

Date: November 15, 2005
 Time: 1:30 p.m.
 Dept.: 2

The basis for this Stipulation and Order to Continue the Case Management
 Conference is the following agreed upon facts by the parties to this Stipulation.

Plaintiff Professional Asbestos Removal Corporation ("PARC") and Defendant
 Explore General, Inc. ("Explore") have reached a tentative settlement subject to being reduced to
 writing. A draft settlement agreement was prepared by PARC and submitted to counsel for
 Explore on October 21, 2005. The parties anticipate that the settlement agreement will be
 finalized and signed within the next 30 days. At this time, it is anticipated that payment of the
 settlement proceeds will take place shortly after January 1, 2006. A dismissal of the entire action

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1 will be filed upon receipt of the settlement funds. In the event that the settlement agreement is
2 not finalized within the next 30 days, the parties have agreed to submit the matter to mediation
3 before a mutually agreeable mediator that works out of the Fresno area where both parties are
4 located. The mediation would take place within the next 90 days.

5 Based upon these facts:

6 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff and
7 Defendants through their respective counsel of record, as follows:

8 1. That the Case Management Conference set for November 15, 2005 at 1:30
9 p.m. in Department 2 be continued to January 17, 2006 or any date thereafter that is convenient
10 to the Court.

11 The Stipulation may be signed by the attorneys in counterpart, and by original,
12 photocopy or facsimile signatures.

13
14 Dated: November ____, 2005

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15
16 By _____
17 PATRICK J. GORMAN
18 Attorneys for PROFESSIONAL
19 ASBESTOS REMOVAL
CORPORATION, dba PARC
ENVIRONMENTAL

20 Dated: November ____, 2005

21
22 _____
23 MYRON SMITH,
24 Attorney for EXPLORE GENERAL,
25 INC.

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ORDER

PURSUANT TO THE STIPULATION and agreement of the parties through their attorneys of record and good cause appearing therefore,

IT IS ORDERED that:

1. That the Case Management Conference scheduled for November 15, 2005 is continued to January 17, 2006 (~~or xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~) at 1:30 p.m. in ~~Department~~ **Courtroom 2** of this Court.

2. The parties' joint case management statement shall be filed no later than January 10, 2006.

3. Any party who has not yet done so shall file either a consent or declination to proceed before a United States Magistrate Judge no later than January 10, 2006.

Dated: November 14, 2005

/s/ Howard R. Lloyd

United States Magistrate Judge

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